

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

JOHNNY HOOD

PETITIONER

Case Number: 5:04CV00225GH

LARRY NORRIS, DIRECTOR, ARKANSAS  
DEPARTMENT OF CORRECTION

RESPONDENT

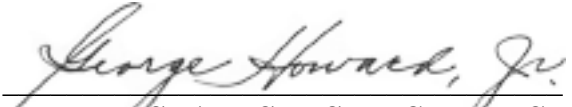
**ORDER**

On May 25, 2005, the Court entered judgment denying petitioner's petition for writ of habeas corpus. On June 24, 2005, petitioner filed a notice of appeal and on June 27<sup>th</sup>, he filed an application for a certificate of appealability.

To grant a certificate of appealability, the Court must find a substantial showing of the denial of a federal constitutional right. See Tiedeman v. Benson, 122 F.3d 518, 522 (8th Cir.1997). The petitioner must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong. Slack v. McDaniel, 529 U.S. 473, 484 (2000). See also Miller-El v. Cockrell, 537 U.S. 322, 336 (2003). A substantial showing is a showing that issues are debatable among reasonable jurists, a court could resolve the issues differently, or the issues deserve further proceedings. Id. See also Cox v. Norris, 133 F.3d 565, 569-70 (8th Cir.1997). The Court finds that petitioner has not made a substantial showing of denial of a federal constitutional right.

Accordingly, the application for a certificate of appealability is denied.

IT IS SO ORDERED this 6<sup>th</sup> day of July, 2005.

  
UNITED STATES DISTRICT JUDGE